

**Introduced by Senator Cox**

February 22, 2008

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An act to amend Section 17262 of, and to add Sections 17072.36 and 17262.1 to, the Education Code, relating to school facilities.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 1605, as introduced, Cox. School facilities: new construction: funding.

The Leroy F. Greene School Facilities Act of 1998 (Greene Act) requires the State Allocation Board to allocate to applicant school districts, prescribed per-unhoused-pupil state funding for construction and modernization of school facilities, including hardship funding, and supplemental funding for site development and acquisition. A grant for new construction may be used for the cost of design, engineering, and plan checking, among other things.

Existing law requires the board to obtain construction plans for school buildings appropriate for school districts in various climates and geographical conditions of the state. The plans are required to meet the needs of school districts requiring school buildings of various sizes. The board is required to furnish the plans and specifications to a school district subject to the payment by the school district of the actual expense incurred by the board, but not exceeding 2% of the total cost of the construction project.

This bill would require the board to solicit bids for additional construction plans for schools and to select and purchase sets of plans in a number it determines is sufficient to address the needs of school districts located throughout the state. The board would be required to pay a royalty to the person or entity that prepared a purchased set of plans each time a school district uses the plans and to provide the plans

and specifications it obtains to school districts free of charge. A school district would be prohibited from using funds received pursuant to the Greene Act for costs related to the design of school buildings if a school district does not use plans obtained by the State Allocation Board.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 17072.36 is added to the Education Code,  
2 to read:

3 17072.36. Notwithstanding Section 17072.35, a school district  
4 that does not use plans obtained by the board pursuant to Section  
5 17261 or 17262.1 shall not use new construction grant funds for  
6 costs related to the design of school buildings.

7 SEC. 2. Section 17262 of the Education Code is amended to  
8 read:

9 17262. ~~Any~~ A school district may request sets of the plans and  
10 specifications obtained by the State Allocation Board as appropriate  
11 for use in constructing a school building of the type desired by the  
12 school district. The plans and specifications shall be furnished to  
13 the school district ~~subject to the payment by the school district of~~  
14 ~~the actual expense incurred by the State Allocation Board, but that~~  
15 ~~payment shall not exceed more than 2 percent of the total cost of~~  
16 ~~the project free of charge. Any payments received for the plans~~  
17 ~~and specifications shall be paid into the 1998 State School Facilities~~  
18 ~~Fund, the 2002 State School Facilities Fund, or the 2004 State~~  
19 ~~School Facilities Fund, as appropriate.~~

20 SEC. 3. Section 17262.1 is added to the Education Code, to  
21 read:

22 17262.1. The State Allocation Board shall solicit bids for  
23 construction plans for school buildings and shall select and  
24 purchase sets of plans in a number the board determines is  
25 sufficient to address the needs of school districts located throughout  
26 the state. The board shall pay a royalty to the person or entity that  
27 prepared a purchased set of plans each time a school district uses  
28 the plans.

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